

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4176 of 2018

1. Krishna Choudhary Son of Late Mahabir Choudhary, Resident of Village-Sadallichak, P.S.-Gopalpur, District-Patna.
2. Anil Kumar Chaudhary Son of Krishna Choudhary Resident of Village-Sadallichak, P.S.-Gopalpur, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Scheduled Case and Scheduled Tribe Welfare Department
4. The Joint secretary, Government of Bihar, Patna.
5. The State Mahadalit Commission, Indira Bhawan, Patna.
6. The District Magistrate, Patna.
7. The Deputy Collector, Land Reforms Patna.
8. The Circle Officer, Sampat Chak Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Radha Mohan Pandey, Advocate
For the Respondent/s	:	Mr.S.K. Mandal, Standing Counsel-3
		Ms.Neelam Kumari, AC to Standing Counsel-3
		Mr. Arjun Prasad, AC to Standing Counsel-3
For Bihar Mahadalit Mission :		Mr. Rakesh Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-07-2022 Though the present writ petition has been filed for quashing the notice dated 16.02.2018 issued by the respondent no. 8 i.e. the Circle Officer, Sampatchak, whereby and whereunder 10 persons including the petitioner no. 1 have been directed to remove encroachment from the land appertaining to Thana No. 99, Khata No. 101, Plot No. 57 & 105, situated at Mauza-Fazilabad, Block-Sampatchak, District-Patna, however,



it is the submission of the learned counsel for the petitioners that no proceeding under the Bihar Public Land Encroachment Act, 1956 has been initiated.

If that be so, the notice dated 16.02.2018 issued by the Circle Officer, Sampatchak is illegal.

Accordingly, the present writ petition stands disposed off, however, with liberty to the Circle Officer, Sampatchak, District-Patna to act in accordance with law and as per the provisions contained in the Bihar Public Land Encroachment Act, 1956.

It is needless to state that the aforesaid notice dated 16.02.2018, shall consequently stand annulled.

(Mohit Kumar Shah, J)

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